

Issue: Columbia Falls Aluminum Company Superfund Site, Montana potential NPL listing

Messages:

EPA is evaluating whether the Superfund Alternative Approach is a viable alternative given the financial condition of CFAC and Glencore. EPA will not finalize the listing before the fall of 2016 to explore this option and engage in additional community outreach.

Background:

- With the support of the local community and the Montana Governor, EPA proposed adding the Columbia Falls Aluminum Site to the National Priorities List on March 26, 2015. EPA received 77 public comments in response and believes the site still qualifies for listing.
- On November 30, 2015, EPA entered into an administrative order on consent with the current owner of the site, Columbia Falls Aluminum Company (CFAC), whereby the company has agreed to perform the remedial investigation/feasibility study for the site subject to EPA oversight and has provided financial assurance in the form of a \$4M letter of credit.
- Some community members are now questioning the need to finalize the site on the NPL and are advocating that EPA address the site using the Superfund Alternative Approach. CFAC and its parent corporation, Glencore PLC, a multinational Anglo-Swiss commodities trading and mining company headquartered in Switzerland, are also requesting that EPA take this approach.

Contacts: RPM – Mike Cirian, 406-293-6194; Superfund Branch Chief – Joe Vranka, 406-457-5039; Legal – Mark Chalfant, 303-312-6177

Issue: Silver Bow Creek/Butte Area Superfund Site, Montana

There is significant public concern and newspaper coverage concerning the shape of the final remedial and restoration cleanup plan. The State, via Governor Bullock, has announced its intention to remove the Parrot Tailings under natural resource damage authority outside of the consent decree negotiation process using existing State natural resource damage restoration funds.

Messages:

- EPA is working cooperatively with the State to see that the removal of the Parrot Tailings happens and recently agreed to the release of \$16.5 million from a remediation fund into the State's restoration fund to accomplish this (a prior consent decree provided for this upon EPA agreement).
- EPA is also working cooperatively with the State on the remainder of the final cleanup plan, and recent events have accelerated the final plan discussion and consent decree process. EPA anticipates providing public input into the remedial part of the final cleanup plan this summer or fall before concluding remedial decision making and then finalizing the consent decree.
- EPA has a goal of December 2016 for lodging of the final consent decree.

Background:

- EPA issued a Record of Decision for the Butte Priority Soils Operable Unit (BPSOU) of the Silver Bow Creek/Butte Area site (a large section of the mining town of Butte, Montana) in 2006. The ROD was preceded by 11 removal actions at this highly contaminated site.
- The ROD covers residential and non-residential soils cleanup, open mine pit reclamation, stormwater control, mine waste removal and capping, streambank bed and bank removals, and institutional controls.

- For groundwater, EPA's ROD left buried waste left in place and focused on interception and treatment systems for the contaminated groundwater in Butte, to protect nearby Silver Bow Creek. This decision was based on extensive internal consultation with EPA groundwater experts from its Ada, Oklahoma lab and the national remedy review board.
- The State of Montana concurred in the 2006 BPSOU ROD except for the groundwater component. For the groundwater remedy component, the State wanted four buried wastes area, including the Parrot Tailings area, removed in addition to the collection and treatment system. The State later recovered approximately \$28 million in natural resource damage money from the Atlantic Richfield Company based on a restoration plan that provided for this buried waste removal.
- Since 2006, EPA has been implementing the BPSOU ROD under unilateral administrative orders issued to the Atlantic Richfield Company (ARCO). Most of the ROD components are now implemented, and significant human health, surface water and vegetation improvement has occurred. EPA is working with the State Department of Environmental Quality and the State Natural Resource Damage program to come up with a final cleanup plan for remaining remedy components and restoration work that could be placed under a Consent Decree, as provided under CERCLA.

Contacts: RPM – Nikia Green, 406-457-5019; Superfund Branch Chief – Joe Vranka, 406-457-5039; Legal – Henry Elsen, 406 -57-5030